

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Roger Shawn Nedd

Docket No. 5:10-CR-68-1BO

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Roger Shawn Nedd, who, upon an earlier plea of guilty to Possession With Intent to Distribute a Quantity of Marijuana and Cocaine and Possession of a Firearm and Ammunition by a Felon, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on April 19, 2011, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Roger Shawn Nedd was released from custody on April 8, 2014, at which time the term of supervised release commenced. On March 9, 2015, after the defendant was charged with Possession of 5+ Counterfeit Instruments and Obtaining Property by False Pretense in Wake County, North Carolina, a Petition for Action on Supervised Release was filed adding a 90-day period of home detention, which the defendant has completed.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 27, 2015, Nedd tested positive for marijuana. When confronted, the defendant acknowledged using marijuana on three separate dates since May 1, 2015, and requested substance abuse counseling. A verbal reprimand was issued, and the defendant was advised that in view of 18 U.S.C. § 3583(g)(4), he would be returned to court if another drug test was submitted indicating additional drug use. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Timothy L. Gupton

Timothy L. Gupton

U.S. Probation Officer

310 New Bern Avenue Room 610

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Phone: 919-861-8686

Executed On: June 11, 2015

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ORDER OF THE COURT

Considered and ordered this 11 day of June, 2015 and ordered filed and made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge